

**4TH REPORT OF THE**  
**PLANNING AND ENVIRONMENT COMMITTEE**

Special meeting held on February 19, 2013, commencing at 7:12 PM, at Centennial Hall.

**PRESENT:** Councillor B. Polhill (Chair), Councillors D.G. Henderson, P. Hubert and S. White and H. Lysynski (Secretary).

**ABSENT:** Councillor N. Branscombe.

**ALSO PRESENT:** Mayor J.F. Fontana, Councillor H.L. Usher, J.M. Fleming, E. Lalande, D. O'Brien, R. Sharpe, M. Tomazincic and J. Yanchula.

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**I. DISCLOSURES OF PECUNIARY INTEREST**

1. That it **BE NOTED** that no pecuniary interests were disclosed.

**II. CONSENT ITEMS**

None

**III. SCHEDULED ITEMS**

None

**IV. ITEMS FOR DIRECTION**

2. Property located at 527 Wellington Road

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Towards Recovery Clinics, relating to the property located at 527 Wellington Road:

- a) the request to amend the Official Plan by adding a special policy to recognize that the 251 metre distance between the subject property and the nearest school property boundary is appropriate due to unique separation characteristics **BE REFUSED**, for the following reasons:
  - i) the request for a site-specific Official Plan amendment is not appropriate since the subject property does not exhibit any of the four conditions which could necessitate the need for a site-specific policy;
  - ii) the existing Official Plan policies pertaining to the location of new Methadone Clinics and Methadone Pharmacies accurately reflect the intent of Council;
  - iii) the requested amendment does not meet the evaluation criteria identified in Section 6.2.11 of the City of London Official Plan pertaining to Methadone Clinics and Methadone Pharmacies which preclude the location of these uses within 300 metres from an elementary school;
  - iv) the requested amendment does not meet the evaluation criteria identified in Section 6.2.11 of the City of London Official Plan pertaining to Methadone Clinics and Methadone Pharmacies requiring that sites must be large enough to accommodate the parking requirements; and,
  - v) the requested reduction in the separation distance from an elementary school is not appropriate based on the approach adopted by Council and supported by extensive research, consultation with health care providers, community and business groups and the planning impact analysis included in this report

related to planning for Methadone Clinics and Methadone Pharmacies;

- b) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property **FROM** an Associated Shopping Area Commercial (ASA2/ASA5) Zone, which permits a wide range of retail, personal service and automobile uses **TO** a Holding Associated Shopping Area Commercial Special Provision (h-5•ASA2/ASA5( )) Zone, to add a Methadone Clinic and Methadone Pharmacy to the list of permitted uses and relieve the subject property from the general provisions that require the property boundary of Methadone Clinics and Methadone Pharmacies to be a minimum of 300m from the property boundary of an elementary school subject to a holding provision to require public site plan review **BE REFUSED** for the following reasons:
- i) the requested amendment to the Zoning By-law is not consistent with the Zoning regulations which do not permit Methadone Clinics and Methadone Pharmacies to be located within 300 meters of an elementary school;
  - ii) the subject property does not meet the minimum requirements of the Zoning By-law which require that 1 parking space be provided for every 15m<sup>2</sup> of gross floor area (“GFA”). The existing building has a GFA of 418m<sup>2</sup> requiring that 28 parking spaces be provided whereas the subject property has a total of 21 parking spaces; and,
  - iii) the proposal to utilize only 307m<sup>2</sup> of the existing building for the requested uses and leaving the remaining 111m<sup>2</sup> unfinished and separated from the rest of the building by a permanent wall would create a situation that requires on-going by-law enforcement to continually monitor the subject site to ensure that the unfinished portion of the building remains unused; and,
- c) the information report from the Managing Director, Planning and City Planner, relating to the City of London request to limit the number of clients served by methadone clinics and methadone dispensing pharmacies **BE RECEIVED**;

it being noted that the Planning and Environment Committee reviewed and received the following communications with respect to this matter:

- a communication, dated February 11, 2013, from C. Crawford, Chief Executive Officer, Towards Recovery Clinics Inc.;
- a communication from T. Schnurr, Vice President, Sales Representative, CBRE Limited;
- a communication, dated February 11, 2013, from R. Zelinka, Zelinka Priamo Ltd.;
- a communication, dated November 20, 2012, from V. Zanov, 22 Torrington Crescent;
- a communication, dated February 14, 2013, from C. Clark, by e-mail;
- a communication, from T. Couture, 45-35 Waterman Avenue; and,
- a communication, dated February 13, 2013, from D. Young, Senior Planner, Stantec Consulting Ltd.;

it being pointed out that at the public participation meeting associated with this matter, the following individuals made oral submissions in connection therewith:

- Cam Crawford, Chief Executive Officer, Towards Recovery Clinics Inc. – advising that Towards Recovery Clinics Inc. currently operates in three Ontario communities; indicating that the clinics are professionally staffed; advising that addiction is misunderstood; indicating that he has been actively involved in the search to find an appropriate location to open a clinic; indicating that they have spent more than eight months searching for a location, utilizing the services of CBRE; advising that there has been published evidence that two or three million people suffer from addictions; advising that over 1,400 people in London are suffering from

opiate addiction; indicating that it is in the communities best interest to deal with addiction; indicating that most people dealing with addictions want to be helped; advising that when you assist people in need, you are returning their self-respect, allowing them to lead healthy lives and become valuable members of the community; indicating that the reality of the situation is that we are helping ourselves; advising that his clinics are committed to operating excellence; indicating that the planning principles support the application; noting that addiction treatment is under the purview of health care; advising that his company provides a different model; noting that they help people and help reduce any risks to public safety; indicating that addiction does not discriminate; indicating that there is a reduction in the amount of crime in a neighbourhood where there is a methadone clinic; advising that methadone clinics have close connections to health care services to best manage patient success; advising that the clinic has a large reception area which reduces any congregation outside of the clinic; advising that there is on-site security during all clinic hours; advising that they operate a service advisory board for two-way communication; indicating that the proposed site is stand alone with no gathering areas; advising that it is close to a major health care area; advising that this is away from the downtown core; and noting that the building is attractive.

- Richard Zelinka, Zelinka Priamo Ltd., on behalf of the applicant – advising that there is a potential site for a methadone clinic to be located at Wellington Road South and Bradley Avenue; noting that this site is more than 300 metres from White Oaks Public School, the South London Community Pool and the Jalna Library; however, you can see directly from the property to the school, the mall and the library; also noting that the properties are connected through a pathway system; further noting that the location meets the City's methadone criteria; advising that the proposed methadone clinic adequately protects the facilities and users from potential impacts; indicating that people want methadone separation between them and their families; noting that there is a single family dwelling next door; advising that the LCBO, a bank, two restaurants and a beer store are located on the same property; noting that, using a strict interpretation of the City's by-law, this is an ideal site for a methadone clinic; also noting that the area is on a bus route; advising that the proposed site on Wellington Road South is a free standing building; indicating that the building is oriented by Wellington Road; advising that there are no adjacent gathering places; advising that there is a 457 metre walking distance, on public sidewalks, and a one kilometer driving distance, between the proposed clinic and a school; advising that you cannot see the school from the property; noting that unless you live there, you would not even know the school exists; advising that the site is accessible by the circuitous walkway on Waterman Avenue; enquiring as to which site better meets the Council's policies; indicating that separation distance is a useful land planning tool; advising that the public and catholic school boards use walking distances; indicating that some of the public responses in the Civic Administration's report spoke of walking distance "as the crow flies", which is not meaningful when you are talking about people; referencing his letter on the Planning and Environment Committee Agenda; advising that the Civic Administration's reference to 824 potential sites is not more than a theoretical rough-cut; indicating that the Civic Administration never provided a blow up of any particular site; noting that the graphic never intended for what is in and what is out; advising that the letter from CBRE indicates that the 824 sites is not a realistic number; noting that not all of the sites are serviced by public transit; advising that, with the stigma attached to addiction, multi-unit landlords will not rent to addiction treatment clinics; advising that some of the other sites are large, new big box stores, hotels or motels; indicating that there are errors in the original mapping, such as the location of the East London Library; advising that many sites are not on the market for sale or for lease; advising that other sites do not have adequate parking; indicating that most of the suitable sites are located along Wharncliffe Road and Dundas Street; indicating that when the policies were adopted, people believed that the Municipal Council and the Civic Administration wanted to work for the health of the city; advising that the current by-law is overly constraining; and advising that the proposed site at 527 Wellington Road South is a good site and meets the cities policies.

- Christine Bonatsos, 97 – 35 Waterman Avenue – enquiring as to whether or not the applicant has mothballed any other clinics; expressing concern that they are only mothballing part of the building in order to meet the parking requirements; enquiring as to whether or not the city enforces mothballing and who pays for it; advising that she does not deem the excuse that the potential 824 sites are not viable as a valid excuse; and advising that the applicant should be educating the public to help reduce the stigmatism that addiction has.
- Roman Zasadko, 53 Cheviot Place – expressing concern with the vacant space in the building; enquiring as to whether or not it is really going to be mothballed; indicating that Police and Fire representatives will need to monitor the space; indicating that it is not dead space; advising that it is not mentioned in the report, but enquiring as to whether or not the space will be needed in the future; enquiring that, if the space is needed in the future, will the applicant need to reply for an amendment to the parking requirements; advising that, in simple terms, the standard of measurement that the City uses is a radius; indicating that the 300 metre circle radius is a standard measurement; and requesting that the Councillors follow their rules.
- Joseph Fisher, 54 Ansondale Road – reading the bottom of page 10 of the Planning and Environment Committee Agenda; advising that the Civic Administration is working with an Interim By-law; reading portions of the July, 2012, Ontario Municipal Board decision; indicating that he is not mentioning who is using the service; advising that a misunderstanding of the by-law is prohibiting citizens from getting their money's worth; indicating that the Civic Administration did their homework; and supporting the Civic Administration's recommendation.
- Ryan Chen, 95 - 35 Waterman – advising that he takes issue with the walkway on Waterman Avenue being referred to as "circuitous"; noting that if you look in the Webster's dictionary, "circuitous" means "round", "winding"; indicating that the walkway leads directly to the school; and noting that clients from Chiddington Avenue will not use the walkway.
- Terry Scafe, 27 Compton Crescent – enquiring as to whether or not the property located at 527 Wellington Road was one of the approved sites for a methadone clinic or pharmacy; advising that the applicant made a conscious decision to fight for this site; and enquiring as to whether or not they have to apply for another application if they decide to dispense medication other than methadone.
- Sharon Fry, 100 – 35 Waterman Avenue – enquiring as to the percentage of the profits from the methadone clinic are provided to the community.
- Nelson Campbell, 28 – 35 Waterman Avenue – expressing concern with the site line between the clinic and the school; indicating that Wellington Road South is the front door entrance to London; advising that there are fast food establishments in the area; noting that there is already a pharmacy in the area; indicating that the proximity of schools and high density areas should be considered when determining locations for a methadone clinic; expressing concern for the safety and security of children; advising that it is 50 metres from the proposed clinic to the front door of the Waterman Avenue condominium complex; noting that there are no fences separating the properties; and enquiring as to whether or not this is health care without risks to the residents.
- Rick Wood, Principal, Cartier Public School – reading from the letter provided to him by the Chair of the Thames Valley District School Board; expressing support for the Civic Administration's recommendation; expressing support for the current by-law; advising that there are 304 children and 30 teachers at his school; noting that it is a family atmosphere; advising that students that have graduated from the school come by to say hello; and requesting that this community be kept safe and healthy.
- Josephine Soares, 1 Rockingham Court – advising that if the Municipal Council changes the existing by-law, the Municipal Council is setting a new standard; advising that any new company can come in and ask for a new radius; and advising that the distance between methadone clinics and schools will get smaller and smaller.

- Janet Hunt, Registered Nurse – advising that the neighbourhood is a great family neighbourhood; indicating that families have problems and reach out for help; advising that this site will be right across from a mental health facility so that, if needed, help can be accessed instantly.
- Steve Couture, 45 – 35 Waterman Avenue – advising that his communication is part of the Planning and Environment Committee Added Agenda; advising that this is a policy that the Municipal Council adopted 9 months ago; encouraging the Municipal Council to stick to the policy; indicating that the language in the policy is very clear; indicating that there is no flexibility in the 300 metres; noting that this was the intention of the Municipal Council; indicating that three criteria use the words “must be”; indicating that this is a pedestrian safety issue, with a bus stop being located on the east side of Wellington Road; advising that there is in excess of 30,000 vehicles a day travelling on Wellington Road; enquiring as to how many people are going to walk up to the lights to cross the road and how many people will take chances crossing the traffic; noting that this will encourage jaywalking; indicating that there must be a requirement for parking; and encouraging the Municipal Council to realize that they adopted the policy.
- Bonnie Weitzel, 6 Chiddington Gate – advising that she is still reviewing the information that she has received; indicating that the parking requirement has not been met; noting that the site currently has 13 parking spaces; advising that no one has mentioned that there would be a requirement for garbage and recycling pick-up and delivery trucks; advising that there are 4,600 vehicles on the road daily between Wellington Road South and Wilkins Avenue; indicating that this will add more vehicles; advising that the Wellington Road South bus is packed; and advising that there are no traffic lights or crosswalks on Waterman Avenue.

**V. DEFERRED MATTERS/ADDITIONAL BUSINESS**

None

**VI. CONFIDENTIAL**

None

**VII. ADJOURNMENT**

The meeting adjourned at 9:20 PM